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Attorneys for BRIAN WAYNE WENDT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHAN JOSEPH NELSON, et al.,

Defendants.

Case No. CR-17-00533-EMC

**STATEMENT CLARIFYING DOCKET
879 (MOTION FOR DISCLOSURE OF
EXPERIENCE, BASES, AND
METHODOLOGY FOR EACH
OPINION OF THE GOVERNMENT'S
LAW ENFORCEMENT/ENTERPRISE
EXPERTS UNDER RULE 16(a)(1)(G)
AND *U.S. v. W.R. GRACE*)**

On November 26, 2019, Brian Wendt filed Docket 879, MOTION FOR DISCLOSURE OF EXPERIENCE, BASES, AND METHODOLOGY FOR EACH OPINION OF THE GOVERNMENT'S LAW ENFORCEMENT/ENTERPRISE EXPERTS UNDER RULE 16(a)(1)(G) AND *U.S. v. W.R. GRACE*.

Undersigned counsel files this Statement to clarify that Docket 879 encompasses only the government's law enforcement "enterprise experts" and does not encompass the numerous other experts noticed, with varying degrees of specificity, by the government. Mr. Wendt will address

1 disclosure issues with respect to the non “enterprise experts” after January 2020 when the
2 government provides its supplemental notices regarding those experts.

3 More specifically, undersigned counsel files this Statement to advise the Court regarding
4 the purpose of submitting three of the exhibits to Docket 879 (Exhibits A, D, and G).¹ These
5 exhibits are letters from the government in which the government addresses its “enterprise
6 experts” as well as other experts. These exhibits were included in Docket 879 only to provide
7 information related to the “enterprise expert” issues. The exhibits were included, despite the
8 reference to other experts, because the exhibits contain information related to the parties’
9 positions on the “enterprise experts.”

10 Dated: November 26, 2019

11 Respectfully Submitted,
12 MARTIN ANTONIO SABELLI
JOHN T. PHILIPSBORN

13 /s/Martín A. Sabelli
14 MARTÍN A. SABELLI
15 Attorneys for Brian Wayne Wendt

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23 ¹ Exhibit A and G refer to CAST experts as well as “enterprise experts.” Exhibit D references
24 numerous experts including Ashley Baloga, Physical Scientist (FE), FBI Laboratory Trace
25 Evidence Unit; Richard Thomas, Physical Scientist, FBI Laboratory Trace Evidence Unit;
26 Angela Meyers, Senior Criminalist, California DOJ Bureau of Forensic Services. In Exhibit D,
27 the government also conveys that it “will have additional expert testimony related to the
28 following areas, but it has not identified any experts to this point. 1. The cremation of human
bodies. 2. Interpretation of medical records to assess the nature of injuries, in connection with
the assaults of Victim 5 and Jeremy Greer. 3. Interstate nexus analysis for seized firearms and
ammunition, unless the parties reach stipulations with respect to this aspect of the evidence.”